

ANDOVER BOARD OF HEALTH
Minutes
June 9, 2008, 6 P.M.
1st Floor Conference Room
36 Bartlet Street

The Board of Health meeting was called to order at 6:05 p.m. Present were Dr. Donald H. Miller, Vice-Chairman, Ms. Margaret N. Kruse, Clerk, and Mr. Thomas G. Carbone, Director of Public Health. Ms. Candace B. Martin, Chairman, was not present due to a scheduling conflict.

I. Approval of Minutes

- **May 12, 2008**

The Board decided to table the approval of the May 12, 2008 Minutes because Ms. Martin was not in attendance this evening and Dr. Miller was not present at the May 12, 2008 Meeting. The Board will vote on the May 12, 2008 Minutes at the next scheduled Board of Health Meeting on July 7, 2008.

II. Appointments & Hearings

- **6 p.m. Public Hearing for Kismet Kids Summer Camp, 204 Andover Street** – Ms. Bridgette Fletcher, owner, was present at the Meeting. She plans to open a Summer Day Camp with 8-10 children for four weeks. Kismet Kids Summer Camp is a new camp and was advertised as such in the June 5, 2008 edition of the Andover Townsman. Mr. Carbone stated that the preliminary review showed that part of the documentation has been completed and recommended the Board approve the new camp, subject to final staff review and approval.

Motion by Ms. Kruse, seconded by Dr. Miller to approve the new camp, “Kismet Kids Summer Camp”, subject to final staff review and approval of all required documentation.

III. Discussion

- **Tobacco Control Program Update** – Mr. Carbone told the Board that at the last compliance check, CVS sold tobacco to a minor, but there was no action for the Board to take since it was a first offense. Mr. Carbone referred to the notes taken from the last Tobacco Control Meeting on June 4, 2008, and showed that the sales of tobacco to minors were on a downturn since the third quarter of 2006.
- **Food Permit Policy** – Mr. Carbone asked the Board members for their opinion of the Food Permit Information Draft that Mr. Carbone drew up. He stressed that this was a draft and was being reviewed by Health staff as well as Joe Piantedosi of Plant and Facilities. There are certain foods such as homemade chili that are never allowed to be made at home because temperatures cannot be maintained at safe levels. When food temperatures are not at safe levels the chance of food-borne

illness increases greatly. The Board members agreed that the use of a document to explain the food permitting process was a good idea, but stressed that if anyone had any doubt at all, the Health Division should be called for clarification. Ms. Kruse suggested categorizing which foods need permits or Food Handlers and which do not, adding school class parties to the list, and adding a list of places where people could take the Food Handler Test.

- **Set Summer Meeting Schedule** - The Board decided on July 7, 2008, August 18, 2008, and September 15, 2008 for their next Board of Health Meetings.

IV. Old Business

- **Ninety-Nine Restaurant Septic System** – Mr. Carbone explained to the Board that plans were filed, but needed to be revised because of missing information, so they won't be starting the installation on the 16th of June as planned. The treatment they were going to use was not approved by the State for what they wanted, so they need to redesign the system. The plans showed two tanks, where only one is needed, specs needed to be done on the ground water, and the elevations needed modification. They were, however, able to keep 100' from the wetlands and will be able to do some preliminary work, but not the septic work.
- **Society of Friars Septic System** – Mr. Carbone explained that Mr. Doherty is aware of the Board's desire for this system to be completed. The construction permit has been issued. There were no further updates.
- **Emergency Operations Plans** – Mr. Carbone stated that he attended a workshop today on the tech review of Emergency Dispensing Site plans and the plans are about 65% completed. More components to the plans will be added as time goes on. Mr. Carbone has scheduled a meeting with the Police and Fire Departments as well as Town Manager, Buzz Stapczynski to review the plans. All communities involved have worked from the same template. Issues involved are where the Emergency Dispensing Sites will be, how medicine will be delivered, setup of triage areas, as well as the setup of traffic plans by the Police Department. Mr. Carbone hopes to have some documentation ready in August to bring to the Board of Health for review.
- **Sewer Regulations** – Mr. Carbone met with Carol McGravey from Attorney Urbelis's office who requested some minor changes, and was hoping to get the changes to her by the end of the week. Mr. Carbone is hoping to have the final regulations ready for adoption sometime this summer.
- **Salt Shed** – Mr. Carbone explained that he has called Bret Loosian at Mass Highway and invited Patty Leavenworth, the District Engineer and Frank Tramontozzi, State Engineer, to work again on picking a site for the Salt Shed relocation. Mr. Carbone is looking to help confirm why Mass Highway originally picked the River Road location.

V. Subdivision Definitive Plans

- **Merrimack Estates – Definitive Plan** – Mr. Carbone explained that there were three issues with the Definitive Plan that he wanted Mr. Doherty to address before asking the Board to approve the plan. Mr. Doherty filed a request for a 30-day extension with Mr. Carbone this morning, so Mr. Carbone recommended approval of the extension.

Motion by Ms. Kruse, seconded by Dr. Miller, to approve the 30-day extension for the Merrimack Estates Definitive Plan. Unanimous approval.

- **180 Abbot Street – Preliminary Plan** – Mr. Carbone explained that there were drainage issues, the water main was not looped, and the sewer main did not have the required 2% slope. The drainage runs to the side of the property through pipes and out into a culvert. A place is needed on site for the water because there are standards in place stating that you recharge as much as you can. A Preliminary Plan is presented so that ideas can be examined before a Definitive Plan is submitted. Mr. Carbone recommended disapproval of the 180 Abbot Street Preliminary Plan.

Motion by Dr. Miller, seconded by Ms. Kruse to disapprove the 180 Abbot Street Preliminary Plan for the following reasons:

- 1. The water main for this subdivision is designed to dead end; the main must be looped.*
- 2. The sewer main does not show a minimum 2% slope.*
- 3. The engineer should verify that the existing sewer line has capacity for this added flow.*
- 4. Site drainage shows sheet drainage to swales on the sides of the street where it is then dumped directly into adjacent wetlands. This design is inadequate for the following reasons:*
 - a. It does not allow for on-site groundwater recharge.*
 - b. It does not allow for storm-surge storage capacity.*
 - c. There are no easements provided to show the right to dispose of this runoff onto adjacent properties.*

Unanimous approval.

VI. Plan Review

A. D.W.R.P. Variances/Local Upgrade Approvals: Mr. Carbone recommended approval of the LUA's for 1 Brentwood Circle, 2 Blanchard Street, and 26 Bellevue Road.

Dr. Miller moved to approve, seconded by Ms. Kruse. The Board voted unanimously to approve the following Local Upgrade Approvals:

- **1 Brentwood Circle** – LUA to allow SAS to be 3' from SHWT where 4' is required
- **2 Blanchard Street** – LUA to allow SAS to be 4' from SHWT, where 5' is required
- **26 Bellevue Road** – LUA to allow SAS to be 4' to water where 5' is required

Unanimous approval.

B. B.S.I.P. – Ratify:

Dr. Miller moved to ratify, seconded by Ms. Kruse. The Board voted unanimously to ratify the following BSIP's, with the condition of Conservation Commission approval for 38 Holt Road, and 9 Millstone Circle:

94	Cheever Circle	TM	20	TL	164
8	Clover Circle	TM	101	TL	6
38	Holt Road	TM	42	TL	34
Pending Cons Com Approval					
9	Millstone Circle	TM	120	TL	8
Pending Cons Com Approval					
15	North Street	TM	129	TL	38
6	Pinecrest Road	TM	62	TL	20
21	Pinecrest Road	TM	62	TL	15
52	Rocky Hill Road	TM	63	TL	16
2	Shandel Circle	TM	81	TL	10A
429	South Main Street	TM	82	TL	1D
487	South Main Street	TM	102	TL	10
4	Sunset Rock Road	TM	79	TL	10
102	Sunset Rock Road	TM	81	TL	13
10	Woodland Road	TM	24	TL	3

Unanimous approval.

C. S.S.A.P – Recommend Approval:

Dr. Miller moved to approve, seconded by Ms. Kruse. The Board voted unanimously to approve the following SSAP's, with the condition of Engineering approval for 3 Charles Circle and Conservation Commission approval for 38 Holt Road, and 9 Millstone Circle:

3	Charles Circle	TM	63	TL	16E
Pending Engineer Approval					
8	Clover Circle	TM	101	TL	6
38	Holt Road	TM	42	TL	34

Pending Cons Com Approval

9	Millstone Circle	TM	120	TL	8
Pending Cons Com Approval					
52	Rocky Hill Road	TM	63	TL	16
487	South Main Street	TM	102	TL	10
4	Sunset Rock Road	TM	79	TL	10
102	Sunset Rock Road	TM	81	TL	13
10	Woodland Road	TM	24	TL	3

Unanimous approval.

D. S.S.U.P.– Recommend Approval:

- N/A

E. B.S.R.P. – Recommend Approval:

- N/A

VII. Staff Reports

A. Director’s Report:

- **NERAC Appointment** – Mr. Carbone explained to the Board that his official two-year appointment ends at the end of the month and he would not be seeking reappointment.
- **Phone Bank Exercise** – Mr. Carbone ran another phone bank test, and discovered an issue with the phone line which has now been fixed. He has completed three tests and has taken care of problems with each one.
- **Functional Exercise** – Mr. Carbone explained that he was recently involved in an exercise in Methuen to observe how hospitals would respond to a multiple discipline accident. Mr. Carbone felt that he learned a lot from the exercise.
- **Important Dates:**
 - **June 17 @ 7 p.m.** – Fish Brook Watershed Advisory Committee
 - **June 21 through 26** – Director to NEHA Conference

- B. Nurses’ Report for May, 2008** – The Nurses Report was for informational purposes only. The Board noted that there were no longer any cases of TB listed; Mr. Carbone explained that the treatments have ended and the case was no longer active. Mr. Carbone pointed out that the MAVEN Training the nurses attended was for a software program that will be utilized for the input of communicable diseases and that

it is in the first phase of the rollout. If a major illness is entered, the system would page one of the Health Officials and they could then go online to get additional information or call as they have done in the past.

C. Inspectors' Reports for May, 2008 – The Inspectors' Reports were for informational purposes only.

VIII. Board Member Reports:

- **Health Impact Analysis for the Shawseen Square Revival** – Mr. Carbone explained that this involves what residents and businesses would like to see happen to revitalize Shawsheen Square in a healthful way. There are two High School students who will evaluate how to design the area so that people walk instead of drive. Also, you want to make it easy for people to cross streets safely, have stores nearby that they can walk to, and keep the area affordable so that a diversity of people can afford to live in the area.
- **Lantern Brunch Restaurant Update** – Dr. Miller asked if the owner backed out of the sale of the Lantern Brunch. Mr. Carbone explained that a potential buyer had been in and was looking to expand into an adjacent store in the building, but has not pursued the sale any further at this time.
- **Beaver Dam Breach at 13 Korinthian Way** – Mr. Carbone explained that someone was breaching without a permit on this property. There was a DEP meeting with Bob Douglas, Conservation Commission Director, Patricia Crafts, Health Agent, and an AVIS representative. A “Do Not Breach” sign was put on the dam. Also, off Rte. 93 just past Rte. 495 there is a lot of accumulated water in the culvert. Mass Highway tried to clear the culvert, but the water did not drain. Mass Highway thinks there is a blockage as a result of sticks and mud from beaver debris and will probably use a high pressure hose to break up the blockage. There is a concern that arsenic will be released if a large amount of water is flushed out.
- **Property adjacent to Snow Dump** – Town resident, Donald Coleman, has contacted Board Member Candace Martin concerning property downstream from the Snow Dump. Mr. Coleman had previously believed that the Snow Dump was the cause of several cancer cases in the area because there were reports that chemicals had been dumped on that property in the 1950's. As a result, the Town hired an LSP to conduct research and water testing and no Health Hazard was found. Mr. Carbone and Ms. Martin stated that they would walk the area with Mr. Coleman if he so requested. In the meantime, Mr. Carbone will send Mr. Coleman a copy of the Snow Dump Report.

IX. Adjournment

Motion by Dr. Miller, seconded by Ms. Kruse, to adjourn at 7:17 p.m. Unanimous approval.